

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

Steven Eugene Sharpe,

PLAINTIFF

v.

Deutsche Bank National Trust
Company, et al.,

DEFENDANTS

Case No. 3:19-3334-TLW

Order

Plaintiff Steven Eugene Sharpe, proceeding *pro se*, filed this civil action under 42 U.S.C. § 1983, alleging violations of his due process rights in connection with a state court foreclosure action. ECF No. 1. The matter now comes before the Court for review of the Report and Recommendation (Report) filed by the magistrate judge to whom this case was assigned. ECF No. 17.

In the Report, the magistrate judge recommends that this case “be summarily dismissed as duplicative of a suit previously filed by Plaintiff that the Court dismissed.”¹ *Id.* at 2. After the magistrate judge filed the Report, Plaintiff filed a document entitled “Reply to Defendant’s Answer,” in which he appears to confuse the Report filed by the magistrate judge with an answer filed by Defendants. ECF No. 22. To the extent this filing should be construed as objections to the Report, it does not address the substance of the Report. This matter is now ripe for decision.

¹ *Sharpe v. Deutsche Bank Nat’l Trust Co.*, No. 3:18-cv-02647-TLW (D.S.C.), ECF Nos. 1 (complaint), 65 (order granting motions to dismiss).

In reviewing the Report, the Court applies the following standard:

The magistrate judge makes only a recommendation to the Court, to which any party may file written objections The Court is not bound by the recommendation of the magistrate judge but, instead, retains responsibility for the final determination. The Court is required to make a *de novo* determination of those portions of the report or specified findings or recommendation as to which an objection is made. However, the Court is not required to review, under a *de novo* or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the report and recommendation to which no objections are addressed. While the level of scrutiny entailed by the Court's review of the Report thus depends on whether or not objections have been filed, in either case the Court is free, after review, to accept, reject, or modify any of the magistrate judge's findings or recommendations.

Wallace v. Hous. Auth. of City of Columbia, 791 F. Supp. 137, 138 (D.S.C. 1992) (citations omitted).

In light of the standard set forth in *Wallace*, the Court has reviewed, *de novo*, the Report and the objections. After careful review of the Report and the objections, for the reasons stated by the magistrate judge, the Report, ECF No. 17, is **ACCEPTED**. Plaintiff's objections, ECF No. 22, are **OVERRULED**. Plaintiff's Complaint, ECF No. 1, is **DISMISSED WITHOUT PREJUDICE**.

IT IS SO ORDERED.²

s/ Terry L. Wooten
Terry L. Wooten
Senior United States District Judge

April 1, 2020
Columbia, South Carolina

² Plaintiff also filed a motion for preliminary injunction. ECF No. 2. In light of the dismissal of this action, that motion is **DISMISSED AS MOOT**.